

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:12-CR-287-BO

UNITED STATES OF AMERICA

v.

JAMES GODWIN


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ORDER

This cause comes before the Court on defendant's pro se letter asking for assistance because of alleged mistakes made at his sentencing by counsel and the government. [DE 49]. Such a claim attacks his original sentence or conviction and therefore is properly brought as a claim pursuant to 28 U.S.C. § 2255.

The Court GRANTS petitioner 30 (thirty) days from the filing of this notice to confirm or deny his intent to file a motion to vacate, set aside, or correct a sentence pursuant to 28 U.S.C. § 2255. If a response is not filed within this time, this Court will presume that petitioner is not seeking such relief and this action will be dismissed. Should the petitioner notify this Court of his intention to file a motion to vacate, set aside, or correct a sentence pursuant to 28 U.S.C. § 2255, the Clerk of Court is DIRECTED to provide petitioner with the appropriate forms on which to file such a motion. The court further warns the petitioner of the effects of filing a motion pursuant to section 2255, and advises him as to the requirements of section 2255. *See Castro v. United States*, 540 U.S. 375, 377, 383 (2003); *see also United States v. Emmanuel*, 288 F.3d 644, 649 (4th Cir. 2002).

SO ORDERED, this 6 day of June, 2017.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE